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April 6, 2015

VIA ECF

Honorable Steven C. Mannion, U.S.M.J.
United States District Court
District of New Jersey
50 Walnut Street
Newark, New Jersey 07101

**Re: *ADP Dealer Services, Inc., et al. v. S. Cal. Fleet Services, Inc., et al.*,
Civil Action No. 13-334 (SDW) (SCM)**

Dear Judge Mannion:

I am writing in response to Mr. Castellano's letter to the Court on Friday evening requesting a conference regarding a proposed motion for a contempt citation regarding Plaintiff's response to the February 19, 2015 Order in this case. Attached is a copy of a letter that I emailed to Mr. Castellano also on Friday evening addressing Plaintiff's response to the Order. I am not including the enclosures, which represented the beginning of the rolling production of documents. As reflected in my letter, this has been a difficult, time-consuming, and expensive task for Plaintiff.

We had intended to provide our letter to defense counsel prior to the close of business on Friday, but I was finalizing the production myself in the absence of support personnel and ran into a number of technological difficulties. In the end, our letter was, by coincidence, sent simultaneously with the receipt of counsel's letter to the Court at exactly 5:16 p.m. I have asked Mr. Castellano to withdraw his letter and his request for a motion on a contempt citation, but I have not yet received a response.

Respectfully submitted,

/s/ Robert J. Rohrberger

Robert J. Rohrberger
Enclosure

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Cc: Honorable Susan D. Wigenton (via regular mail)
Carmine J. Castellano (via ECF)



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April 3, 2015

VIA EMAIL

Carmine Castellano, Esq.
Hodgson Russ LLP
1540 Broadway, 24th Floor
New York, New York 10036

**Re: ADP Dealer Services, Inc. v. Southern California Fleet Services, Inc. *et al.*
Civil Action No. 13-334 (SDW)(SCM)**

Dear Carmine:

As indicated in Plaintiffs' supplemental response to Interrogatory No. 22, Plaintiffs have searched the Vision Case Log database for entries using the following search terms (with variations of the root words) that were based upon Defendant's counterclaims and defenses: suitability, customizability, training, invoices, small fields, business model/needs, work order numbers and mobile techs. The following summarizes those results and begins Plaintiffs' rolling production.

As we previously advised, no results were identified using the terms "business model" or "business needs." The results from the searches conducted for the terms suitability, customizability, training, and invoices (and variations thereof) yielded an extremely large number of hits due to the commonality of these terms and our review of the results indicated that the results included many irrelevant and non-responsive documents. Plaintiffs attempted to narrow the search results for these terms using additional and more specific words, but the "narrowed" searches did not result in the retrieval of what Plaintiff believes to be responsive documents of "similar complaints" and still contained many irrelevant documents. In part this is due to the vision Case Log database itself, as it documents conversations with clients about every day issues, questions, "help desk" issues, problems and troubleshooting. It is designed to maintain a record that can be referenced on a customer by customer basis, not as a general database of "complaints." Moreover, much of the results did not appear to be "complaints" but

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Carmine Castellano, Esq.

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rather troubleshooting or common client questions that were not relevant or responsive to Defendant's request for "similar complaints."

Accordingly, with much reluctance, to be in full compliance with the Order dated February 19, 2015, and because narrowing down the results to only find "similar complaints" has proven not possible, Plaintiffs are ready to produce the full search results so that Defendant can review them and decide if they believe any of the log entries are responsive to its request for "similar complaints." These productions have not been narrowed by Plaintiffs beyond the initial search criteria and are the result of the following searches, showing the number of hits and page results:

Search Terms	Hits	Pages
"Suitability" or "suitable" or "compatible" or "incompatible"	6,400	28,022 pages
"Customize", "customizability"	25,000	81,544 pages
"Invoice" within same entry as: "incomplete", "edit", "edited", "credit memo", "work order numbers", "difficult to read", "input", "notes", "note field"	17,700	168,218 pages
"Training" within same entry as: "problem", "incomplete", "inconsistent", "different/differently", "satisfaction/satisfactory", "consistent/consistency", "inadequate", "insufficient".	~15,000	116,266 pages
"mobile techs"	6	25 pages
"rigid"	300	450 pages
"field" near the term "small"	800	4,328 pages
"work order numbers"	400	1,571 pages

Because we have not had the opportunity to review all of these documents, we are provisionally designating them all Attorneys Eyes Only. If you identify any documents that you believe are responsive and relevant and should not bear that designation, please bring them to our attention and we will be prepared to reconsider the designation if appropriate.

Plaintiffs are ready to produce with this email the results for "mobile techs," "rigid," "field near the term small," and "work order number." The remaining productions, due to their size, are still



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being processed and Plaintiffs expect to have those productions burned onto a disc by Monday, Tuesday at the latest to send to Defendant.

Very truly yours,

/s/ Lauren J. Talan

Lauren J. Talan

Enclosures